

Application No. 09/832,304
GAU 3624
Filed 04/10/2001

REMARKS

The Applicant conducted a telephone interview with the Examiner on August 9, 2006. The amended claims were reviewed. The Examiner stated he believed the amendments obviated the rejection on anticipation. However the Examiner also implied that the claims could be rejected under 35 U.S.C. 103 based on combinations of other references. No references were suggested by the Examiner. The Applicant believes the Examiner's statement "that the applicant consider the prior art as a whole" to be ambiguous.

In regard to the instant application, the method and apparatus provides for a completely anonymous electronic payment since personal information is never revealed nor recorded in the establishment of the prepaid account. The prior art cited by the Examiner teaches recording this personal information but maintaining it generally confidential from the seller/merchant. The Elgamal patent cited by the Examiner does not teach an anonymous prepaid account.

The instant application states "Another advantage of the invention is that no personal information, including the buyer's name, credit card number, social security number or bank account or financial information need be recorded or revealed in the purchase or use of I-cards. The I-card vendor or vending devices needs only to receive payment for the I-card and transmit payment to the SVC Issuing the I-card." (pg 6 of original disclosure)

"It will be appreciated that at no time during the series of steps and interchanges among the card vendor, the SVC, the buyer or the merchant is the identity of the buyer or the identity of any money accounts or banking information of the buyer disclosed. It will be appreciated that all of the steps or exchanges may be performed by electronic media without contact of any type among any of the parties (other than by electronic means such as the internet.)" (pg 4 of Preliminary Amendment)

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In contrast, the Elgamal patent cited by the Examiner states the purchaser information is known. "The Payment Gateway includes a data base containing information on each merchant and each customer. Generally, the information in a customer data base is known to that customer, but is kept confidential from the merchant, while the information in the merchant's data base is known the merchant but is kept confidential from the customer." (Col 8, line 9 through 15).

Elgamal describes the contents of the customer data base to include: Customer name, Customer Payment Gateway account number, Customer bank account numbers. This is the number of a bank account, credit card, or other identification of a bank account which the customer has specified that money can be taken from or sent to. (Col 8, line 46 to 67.)

Applicant's claim 1 stipulates that the buyer's name, credit card number, social security number or bank account or financial information is not recorded or revealed when purchasing a prepaid account from an account vendor. This information is recorded in the Elgamal patent cited by the Examiner.

Applicant's claim 5 describes an apparatus comprising an electronic machine readable component that can be encoded with an individualized identifier corresponding to a monetary account and the apparatus contains no information regarding the buyer. Again, the Elgamal patent contains information regarding the buyer of the account card. See the description of the "customer database".

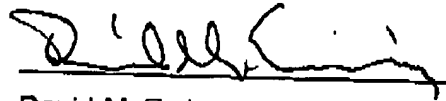
Applicant has added a single claim 11 for an apparatus consisting of an account vendor name and an electronically readable component encoded with an individualized identifier corresponding to a monetary account. No personal information of the purchaser is recorded on the apparatus.

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SUMMARY

The Applicant has amended the claims consistent with the specification. The Applicant has also added 1 new Independent claim. The Applicant has provided analysis of the prior art cited by the Examiner that demonstrates that the prior art does not anticipate the Applicant's invention. The Applicant believes the claims are in order for allowance and such action is respectfully requested.

Respectfully Submitted,

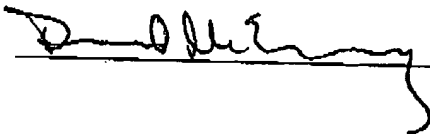


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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the US Patent & Trademark Office (Fax No. 571-273-8300) on September 4, 2006.



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